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At
ROBERT N. TROVICH, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

United States District Court
Northern District of Indiana
Hammond Division

United States of America

v.

No. 2:05 CR 179

Larry Smith

Honorable Judge James T. Moody:

I am writing in response to your Opinion and Order dated November 4, 2020, denying my motion for compassionate release pursuant to 18 U.S.C. § 3582(c).

Within your order, it is stated that "the government opposes Smith's motion. (DE#143.) Smith did not file a reply in support of his motion, and the time to do so has passed."

I have yet to receive the government's filing. I do not know when it was filed and allegedly mailed to me, nor do I have any control over the mail room within this institution to deliver mail to me at all, let alone in a timely fashion. Motions from the court do not arrive through the legal mail, but instead the regular mail room, passing through multiple hands, subjecting it to numerous opportunities for errors, causing delays and even lost mail. As is seen with this Order, postmarked November

4, 2020, yet not received by me until November 17, 2020.

The only documents I have received from the court is the motion from Chief Judge Jon E. Deguilio assigning the case to your courtroom on August 13, 2020; the order from you referring the case to the Northern District of Indiana Federal Community Defenders dated August 19, 2020 (which stated a response date for the government would be set at a later date) and the order from you assigning this case to Magistrate Judge Andrew P. Rodovich for all non-dispositive matters, also dated August 19, 2020.

Since then, I have heard nothing else on this matter until this "Opinion and Order" arrived today. How could I possibly respond to something I do not receive?

I now request the opportunity to see the government's filing in opposition to my motion so I may have the chance entitled to me by law to file a reply to said opposition.

Respectfully Submitted,

Larry Smith

Larry Smith #08520-027

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